

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	CRIMINAL ACTION
V.)	NO. 05-40011
)	
ANDRE ROSADO)	

MOTION FOR FUNDS FOR A CHEMIST

Now comes the defendant in the above case and requests this Court, pursuant to 18 U.S.C. 3006A(e)(1) to grant funds not to exceed One Thousand Five Hundred (\$1,500.00) Dollars to retain the services of a chemist.

As reason therefore, the defendant says that a chemist is necessary for counsel to provide adequate representation. Furthermore, an analysis of the seized substance is vital to the defendant's defense.

The defendant is indigent and cannot afford to retain a chemist at his own expense.

The Fifth Amendment right to due process and the Sixth Amendment right to the effective assistance of counsel require that the defendant be permitted to retain the services of a chemist.

The defendant submits the attached affidavit of counsel.

For the defendant,

/s/ EDWARD L. HAYDEN
EDWARD L. HAYDEN
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AFFIDAVIT OF COUNSEL IN SUPPORT OF
MOTION FOR FUNDS FOR A CHEMIST

1. My name is Edward L. Hayden. I am an attorney with an office at 7 Frankin Street, Lynn MA.
2. I represent the defendant in the above-captioned case.
3. The defendant is indigent and unable to retain the services of a chemist.
4. There is an issue whether the substance seized in the above case is crack cocaine or cocaine base.
5. I need a chemist to advise me on the issue.
6. On January 10, 2006 I spoke with Dr. Harvey Cohen, a chemist. He informed me that I should request \$1,500.00 from the court for his services.

Signed under the pains and penalties of perjury this 10th day of
January, 2006.

/s/ Edward L. Hayden